

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : WALTER SCHUBERT  
 Application No. :  
 Filed : Herewith  
 For : PROCESS FOR IDENTIFYING CELL-SPECIFIC  
 TARGET STRUCTURES  
 Examiner :  
 Attorney's Docket : HSS-015XX

Group Art Unit:

\* \* \* \* \*  
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 Washington, D.C. 20231 on \_\_\_\_\_.

By: \_\_\_\_\_  
 Charles L. Gagnebin III  
 Registration No. 25,467  
 Attorney for Applicant

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
 Washington, D.C. 20231

Sir:

Kindly enter the following Preliminary Amendment in the  
 above-identified application:

Express Mail Number

EL 634464707 US

In the Claims:

Please amend the claims to read as follows (a copy of the amended claims showing the additions and deletions appears at the end for the Examiner's convenience):

3. The process as claimed in claim 1 wherein said object X1 exhibits cells and/or cell membranes originating from a cell or tissue sample of a sick patient, and wherein at least one other object Xn exhibits cells and/or cell membranes originating from a cell or tissue sample of a healthy test person.

4. The process as claimed in claim 1 wherein said process comprises the following parallel step:

(x) preparing a protein expression profile each of a sample portion each of said cell or tissue samples from which cells and/or cell membranes will be used in objects X1 and Xn, and comparing the protein expression profile to be associated with object X1 with that to be associated with object Xn, which comparison will show at least one difference.

7. The process as claimed in claim 1 wherein at least one marker molecule used in step (a) and/or step (c) is fluorochrome-conjugated.

8. The process as claimed in claim 1 wherein at least one marker molecule used in step (a) and/or step (c) is an antibody.

10. The process as claimed in claim 1 wherein at least one marker molecule used in step (a) and/or step (c) is a ligand.

12. The process as claimed in claim 1 wherein, after removing the reagent solution according to step (c), a rinsing step follows in which a rinsing solution is deposited on object X1 and removed again after a certain period of time.

13. The process as claimed in claim 1 wherein step (d) is performed by means of computer-aided image overlay.

14. The process as claimed in claim 1 wherein the process comprises randomly repeatable bleaching cycles, in particular after step (b).

Please add the following new claim 15:

15. The process as claimed in claim 3 wherein:

said process comprises the following parallel step:

(x) preparing a protein expression profile each of a sample portion each of said cell or tissue samples from which cells and/or cell membranes will be used in objects X1 and Xn, and comparing the protein expression profile to be associated with object X1 with that to be associated with object Xn, which comparison will show at least one difference;

said process comprises the following step, after step (x):

(y) examining at least one protein and/or at least one protein modification causing the difference detected in step (x) as to whether it binds to at least one marker molecule of the reagent solution Y1 or Yn identified in step (g);

at least one marker molecule used in step (a) and/or step (c) binds at least one protein and/or at least one protein modification causing the difference detected in step (x);

at least one marker molecule used in step (a) and/or step (c) is fluorochrome-conjugated;

at least one marker molecule used in step (a) and/or step (c) is an antibody;

said antibody is taken from an antibody library, said antibody library being of the naive or of the non-naive type;

at least one marker molecule used in step (a) and/or step (c) is a ligand;

said ligand is taken from a ligand library, said ligand library being of the naive or of the non-naive type;

after removing the reagent solution according to step (c), a rinsing step follows in which a rinsing solution is deposited on object X1 and removed again after a certain period of time;

step (d) is performed by means of computer-aided image overlay;

the process comprises randomly repeatable bleaching cycles, in particular after step (b).

#### REMARKS

This Preliminary Amendment puts the claims into proper form for examination. Note that claims 3, 4, 7, 8, 10, and 12-14 have been amended; new claim 15 has been added; and claim 1, 2, 5, 6, 9, and 11 remain unchanged. Kindly calculate the filing fee based on the amended claims.

Attorney Docket No. HSS-015XX  
Filed: Herewith  
Group Art Unit:

The Examiner is encouraged to telephone the undersigned attorney to discuss any matter which would expedite allowance of the present application.

Respectfully submitted,

WALTER SCHUBERT

By: 

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Date: 3-14-1

CLG/mc/245573-1

Red-lines claims for the Examiner's convenience

**What is claimed is:**

3. The process as claimed in ~~one of the preceding claims~~ 1 wherein said object X1 exhibits cells and/or cell membranes originating from a cell or tissue sample of a sick patient, and wherein at least one other object Xn exhibits cells and/or cell membranes originating from a cell or tissue sample of a healthy test person.

4. The process as claimed in ~~one of the preceding claims~~ 1 wherein said process comprises the following parallel step:

(x) preparing a protein expression profile each of a sample portion each of said cell or tissue samples from which cells and/or cell membranes will be used in objects X1 and Xn, and comparing the protein expression profile to be associated with object X1 with that to be associated with object Xn, which comparison will show at least one difference.

7. The process as claimed in ~~one of the preceding claims~~ 1 wherein at least one marker molecule used in step (a) and/or step (c) is fluorochrome-conjugated.

8. The process as claimed in ~~one of the preceding claims~~ 1 wherein at least one marker molecule used in step (a) and/or step (c) is an antibody.

10. The process as claimed in ~~one of the preceding claims~~ 1 wherein at least one marker molecule used in step (a) and/or step (c) is a ligand.

12. The process as claimed in ~~one of the preceding claims~~ 1 wherein, after removing the reagent solution according to step (c), a rinsing step follows in which a rinsing solution is deposited on object X1 and removed again after a certain period of time.

13. The process as claimed in ~~one of the preceding claims~~ 1 wherein step (d) is performed by means of computer-aided image overlay.

14. The process as claimed in ~~one of the preceding claims~~ 1 wherein the process comprises randomly repeatable bleaching cycles, in particular after step (b).